

ADMINISTRATIVE-INTERNAL USE ONLYJournal - Office of Legislative Counsel
Thursday - 23 August 1973

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6. [] - GLC) Col. Seymour Shwiller, Technical Consultant, Joint Committee on Atomic Energy, called and asked if I could tell him whether the newspaper reports regarding Mr. Colby's intentions regarding national estimates were accurate. I told him that in general the newspapers were inaccurate and assured him that Mr. Colby did not intend to eliminate the preparation of National Intelligence Estimates. I briefed him further on this subject using the employee bulletin item as an aide-memoire. Shwiller said he was glad of these reassurances.

Shwiller expressed regret that it had been such a long time since the last Agency briefing of the Joint Committee. I told him that I knew from conversations with George Murphy, Deputy Director of the Joint Committee, that the Chairman had delayed the Agency briefing at the time of Mr. Schlesinger's appointment in order to give him an opportunity to get accustomed to his new job as DCI and that the subsequent change in Directors had been a consideration in the Committee's timing of a briefing. I pointed out, however, that I knew Mr. Colby stood ready to appear before the Committee whenever they desired a briefing. Shwiller said he expected this would develop by the middle of October.

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7. [] - RJK) Delivered to the Senate Armed Services Committee staff our corrections to the half galleys of Mr. Colby's confirmation hearings of 2, 20, and 25 July along with an additional statement which Colby submitted for the record.

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8. [] - RJK) Delivered to Virginia Skeen, on the staff of Representative Ken Hechler (D., W. Va.), a map of Central America, as she had requested.

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9. [] - RJK) Delivered to the offices of Representatives Jonathan Bingham (D., N. Y.), Lester Wolff (D., N. Y.), and Senator Mike Mansfield (D., Mont.) [] in which their names were mentioned.

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cc:

O/DDCI

Mr. Houston

Ex. Sec.

Mr. Thuermer

[]
Acting Legislative Counsel

[] OPPB

DDI DDM&S

DDS&T EA/DDO

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ADMINISTRATIVE-INTERNAL USE ONLY

10 July 1973

STATEMENT BY WILLIAM E. COLBY

I have been informed that there have been two communications to the Committee from citizens questioning my qualifications for this job.

The first is by [] who cites a series of various documents that he says he was associated with while he was in the CIA.

I have had a search made for these documents, and frankly I have not been able to find them all. I think, however, I can answer [] assertions that I am an uncontrollable agent, that I slanted intelligence, submitted misinformation and permitted U. S. funds to be used in rigging the 1961 election in Saigon []

[] I was quite meticulous in forwarding intelligence which called the shots against the government of Vietnam as well as those which indicated that it was doing a good job.

A number of the references provided by [] are individual reports reporting various malfeasances, trickery in elections, and so forth, which were forwarded under my personal authority. At the same time I had a positive feeling toward the government of South Vietnam under President Diem, and I really do consider the overthrow of President Diem one of the real disasters that occurred in our history out there.

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[] had the feeling that if we had promoted democratic systems things would have been better. I had a slightly different feeling that the Diem government was about as good a government as you were going to get in Southeast Asia and that the real problem was the Communist effort against it. ' This was an honest difference of opinion.

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I give [] full credit for the sincerity of his views. I ask the same for my own. I did not conceal any information at any time in what was forwarded to Washington. Although I submitted my own views, I will take full responsibility for them. I propose to continue to make a choice between the various possible interpretations and to take responsibility for assuming a position that one situation is more likely than another. I think that is what I am required to do as an intelligence officer.

The second communication which the Committee forwarded to me is a letter from a Committee for Action Research on the Intelligence Community which asks for a chance to present certain considerations against me, largely dealing with the Phoenix program in South Vietnam.

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They cite two possible witnesses, a [] and []

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I testified before the House Committee on Government Operations in July 1971 on the Phoenix program and my testimony was followed by

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[] The Committee's conclusions after hearing all of the testimony were included in their report. Concern about the Phoenix program was expressed in the report and it was recommended that the Secretary of Defense fully investigate allegations of crimes committed by U.S. military personnel in South Vietnam against civilians suspected of Viet Cong activities. The detailed allegations by []

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[] a subcommittee witness who had served in military intelligence and CIA activities in Vietnam are contained in the hearing record.

The Defense Department investigated those allegations and submitted in a letter to Chairman Moorhead on 2 November 1972 a brief memorandum entitled "U.S. Assistance Programs in Vietnam." The memorandum states in part:

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"With respect to the recommendation on page 59 of the Committee report, the Department of Defense completed an extensive and impartial investigation on March 14, 1972, into the allegations made by [] during the hearing held August 2, 1971 by the Foreign Operations and Government Information Subcommittee.

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"This investigation, which failed to uncover evidence to support [] allegations, revealed numerous disparities between statements

he made while testifying before the Committee and the factual evidence produced in the course of the investigation.

STAT "It should be made a matter of record that on two occasions during investigative interviews [] refused to identify specific persons, facts or offer precise information involving the alleged incidents which would assist investigative efforts. This reluctance to give specific information was also evident during the hearings of August 2, 1971. Since an investigation has already been conducted and in view of the unsupported and imprecise allegations made by [] many of which are inaccurate, nor can be proved or disproved, it is the opinion of the Department of Defense that no useful purpose would be served by further inquiry into this matter."

STAT I might add one additional comment which I think brings [] allegations into better focus. The Phoenix program was essentially instituted during the summer of 1968 and began to work during the fall and on into the succeeding years. [] was a military intelligence officer. He was not assigned to the Phoenix program as a Phoenix adviser. He alleges that he had certain connections. It is a little hard to determine what these are. But [] served in Vietnam from September 1967, to December 1968. In other words, his service essentially was before the Phoenix program really got rolling in any degree.

STAT As I testified in the Committee's open hearing, the Phoenix program was an effort to bring some order into the fight on the Government's side

between the Communist apparatus and the government of South Vietnam.

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I think that various of the things that [] alleges might have happened. I have no judgment on that, but we did issue instructions, as I indicated in my testimony, that the Phoenix program was not to be a program of assassination and we issued instructions and directives out of the MACV headquarters, which I drafted, that not only were Americans not to participate in any such activities but they were to make their objections known at that time and they were to report the fact that they took place. I did receive some reports of this nature during the Phoenix program and I took them up with the government of South Vietnam whom I found to be receptive to the problem. I frankly think that [] allegations are not well founded.

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With respect to [] he alleges that he was in a briefing with me in the spring of 1969 and says that his account of that meeting is in conflict with my allegation that the Phoenix program was not a systematic program of assassination. I don't recall any such briefing. I received many briefings and he may well have been in a briefing with me.

I believe that I conducted the Phoenix program throughout with a rejection of the idea it be a program of assassination. I knew there were people killed, there is no question about it, and I have testified publicly

that most of these were killed in a perfectly natural combat situation in a war, that there were some abuses that did take place, but I certainly reject the idea that it was a systematic program of assassination.